



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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March 7, 2007

File Ref: 1600

Mr. Brian Bliesner, Project Manager
Wisconsin Department of Transportation
SE Transportation Region
PO Box 798
Waukesha, WI 53187

Dear Mr. Bliesner:

Thank you for your request for general information about Air, Land, Water, and Endangered Resources in the Department of Transportation (DOT) Zoo Interchange Data Collection Area (map attached). I have listed scoping level information and DNR recommendations below.

Air

- 1) The State of Wisconsin Implementation Plan for Air Quality http://dnr.wi.gov/org/aw/air/hot/1hrsip_p2.htm establishes emission budgets for mobile sources in Wisconsin.
- 2) Zoo Interchange reconstruction projects should be included in the Regional Transportation System Plan <http://www.sewrpc.org/regionalplans/regionaltransysplan.shtm> and Transportation Improvement Program <http://www.sewrpc.org/tip/>.
- 3) The Departments of Natural Resources (DNR) and DOT should discuss whether a Natural Resources Code (NR) 411 Screening Level Analysis or Indirect Source Permit is required for reconstruction of the Zoo Interchange.
- 4) DNR recommends that DOT's Zoo Interchange environmental document assess existing and projected air pollutant emissions. The document should also identify sensitive receptors, and assess alternatives to minimize temporary construction and long term air quality impacts.

Remediation and Redevelopment/Waste and Materials Management

- 5) Environmental Repair, Leaking Underground Storage Tank, and Solid Waste disposal sites are present in the in the Data Collection Area. The Department Solid and Hazardous Waste Information Management System (SHWIMS) provides an on-line database of landfills, waste transporters, hazardous waste generation, and waste processing facilities. The database has links to information about spills, leaks, Superfund cleanups and other contaminated sites that have been discovered and reported. The web address is <http://sotw.dnr.state.wi.us/sotw/Welcome.do> . Additional information is available at <http://dnr.wi.gov/org/aw/r/r/gis/index.htm> .

Land

- 6) The DNR Forestry Education Center is located north of Swan Boulevard near 97th and 102nd Streets, Wauwatosa. Facility construction is expected to begin in 2010. The Forestry Education Center is adjacent to the Milwaukee Metropolitan Sewerage District (MMSD) Milwaukee County Grounds

Flood Management Project. An environmental assessment with information about sensitive species and archeological surveys in the Milwaukee County Grounds area is available at http://www.mmsd.com/docs/floodmanagement/milwaukee_county_grounds_environmental_assessment.pdf. Stewardship funding was used for acquisition and development of the Forestry Education Center.

- 7) The DNR Hank Aaron State Trail (HAST) http://dnr.wi.gov/org/land/parks/specific/hank_aaron/pdfs/hankaaronmap06full.pdf is located in the former Soo Line Railroad corridor, 43rd St., Milwaukee to 124th St., Elm Grove. Future HAST developments will include grading, landscaping, access improvements, and paving. DNR and DOT should closely coordinate HAST and Zoo Interchange design and construction activities. The HAST was acquired through the Rails to Trails program.
- 8) DNR review indicates that Land and Water Conservation Funds (LWCF) were used at Hanson Park, Underwood Creek, and other segments of Milwaukee County's Oak Leaf Trail system.
- 9) DNR and DOT should discuss Stewardship and LWCF conversion requirements if affected properties are impacted by the Zoo Interchange reconstruction project.

Water

- 10) The Zoo Interchange Data Collection Area is located in the Milwaukee and Root River basins. Basin reports providing an overview of land and water resource quality are available at http://www.dnr.state.wi.us/org/gmu/milw/milwaukee_801.pdf and <http://www.dnr.state.wi.us/org/gmu/rootpike/rootpikefinal.pdf>.
- 11) Wetlands are present in the Data Collection Area. Wetland impacts should be avoided or minimized. Wetland impacts that can not be avoided should be addressed through the DNR-DOT Cooperative Agreement process.
- 12) The MMSD provides sanitary sewer service in the data collection area. Information about the MMSD service area is available at <http://www.mmsd.com/about/index.cfm>.
- 13) Local governments, MMSD, and the Southeastern Wisconsin Regional Planning Commission (SEWRPC) have participated in drainage studies, planning efforts, and flood control construction projects, such as the Village of Elm Grove Flood Management Project http://www.elmgrovetownship.org/flood_management.htm, Hoyt Park Stream Bank Stabilization Project, Underwood Creek Reconstruction, and the Milwaukee County Grounds Flood Management Project http://www.mmsd.com/floodmanagement/menomonee_river_watershed.cfm#midpic, in the data collection area.
- 14) DNR recommends that the DOT environmental document assess Zoo Interchange stormwater management.

Endangered Resources

- 15) State threatened and endangered Ravenfoot Sedge *Carex crus-corvi* (plant), False Hop Sedge *Carex lupuliformis* (plant) Forked Aster *Aster furcatus* (plant), Butler's Gartersnake *Thamnophis butleri*, and Blanding's Turtle *Emydoidea blandingi* have been observed recently in the large Data Collection Area.

State endangered and threatened Bluestem Goldenrod *Solidago caesia* (plant), False Hop Sedge *Carex lupuliformis* (plant), Forked Aster *Aster furcatus* (plant), Handsome Sedge *Carex Formosa* (plant), Butler's Gartersnake *Thamnophis butleri*, and Blanding's Turtle *Emydoidea blandingi* have been observed recently within one mile of the large Data Collection Area.

State Special Concern species are present in the large Data Collection area.

- 16) DNR is considering revisions to Butler's Gartersnake *Thamnophis butleri* population conservation strategies.
- 17) DNR and DOT should discuss endangered resources occurrences in the large Data Collection Area and determine if specific field surveys or investigations are needed.

Please visit the Department's Bureau of Technology Services website <http://dnr.wi.gov/maps/gis/geolibrary.html> to browse Geographic Information Systems (GIS) data. Provide me a list of GIS files that you want and I will get the files for you.

The Southeastern Wisconsin Regional Planning Commission <http://www.sewrpc.org/> may also have useful GIS data.

Thanks again for the opportunity to provide scoping level information about Air, Land, Water, and Endangered Resources in the DOT Zoo Interchange Data Collection Area. Contact me to discuss the Department's recommendations and to request additional information. I look forward to more refined project analysis and future agency coordination meetings.

Sincerely,



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~~May 18, 2007~~
Revised August 8, 2007

Mr. Brian Bliesner
Wisconsin Department of Transportation
SE Transportation Region
PO Box 798
Waukesha, WI 53187

Re: DOT Project ID 1060-33-00
Zoo Interchange Study

Dear Mr. Bliesner,

The Wisconsin DNR Environmental Analysis and Review/DOT Liaison Team and the Bureau of Endangered Resources have reviewed the data collection area for the Zoo Interchange Study. Endangered resource information is provided for an area within one mile of the project's location. This information is provided so impacts to nearby endangered resources can be assessed and to assist in determining if rare species may occur in the project's impact area, then species that occur nearby may be present in the project area and field surveys may be necessary to determine if this is the case.

There are a number of high quality natural communities that occur in the data collection area and within a one mile buffer outside the data collection area:

1. Wetland/Aquatic Natural Community:

<i>Floodplain forest</i>	Floodplain Forest	
<i>Southern sedge meadow</i>	Southern Sedge Meadow	14

2. Upland Natural Community:

<i>Southern dry-mesic forest</i>	Southern Dry-mesic Forest	14, 25, 36
<i>Southern mesic forest</i>	Southern Mesic Forest	

Though the natural communities themselves are not protected by law, many of them contain endangered or threatened species. Our Natural Heritage Inventory data files contain information on the following rare species and associated natural communities for the project data collection area according to the map dated November 16, 2006. The lists below regard only current element occurrences, from 1960 to the present. (Appendix A details historical species occurrences. It is questionable whether or not historical species

exist in the immediate project area. Field verification is needed in most cases due to the length of time from the last occurrence date.)

3. Endangered Plants:

<i>Carex crus-corvi</i>	Ravenfoot Sedge		
<i>Carex lupuliformis</i>	False Hop Sedge		

4. Threatened Plants:

<i>Aster furcatus</i>	Forked Aster	8, 21, 22,	
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Special concern species are species about which some problem of abundance or distribution is suspected but not yet proved. The main purpose of this category is to focus attention on certain species before they become endangered or threatened. Though not officially state protected, the DNR urges the protection and avoidance of these special concern species within the project area and recommends surveys for the species, as well.

5. Special Concern Plants:

<i>Cacalia suaveolens</i>	Sweet-scented Indian-plantain		
<i>Trillium recurvatum</i>	Reflexed Trillium		
<i>Ptelea trifoliata</i>	Wafer-ash		
<i>Jeffersonia diphylla</i>	Twinleaf		
<i>Viburnum prunifolium</i>	Smooth Black-haw		
<i>Lithospermum latifolium</i>	American Gromwell		
<i>Scutellaria ovata</i>	Heart-leaved Skullcap		

6. Other Special Concern Species:

<i>Pompeius verna</i>	Little Glassy Wing	Butterfly	
<i>Procambarus gracilis</i>	Prairie Crayfish	Crustacean	15, 16, 17,
<i>Archilestes grandis</i>	Great Spreadwing	Dragonfly	

7. Other Threatened Species:

<i>Thamnophis butleri</i>	Butler's Gartersnake	Snake		
<i>Emydoidea blandingii</i>	Blanding's Turtle	Turtle		

In addition to individual snake occurrences, there are seven Butler's Gartersnake Tier 3 sites within the data collection area. Tier 3 sites potentially support large Butler's Gartersnake populations and are critical to the long-term conservation of this animal. The loss of a population at a Tier 3 site would jeopardize the status of the species based on the current data available.

The Conservation Strategy (as it currently exists) calls for take of these listed species to be avoided at these sites, except in the case of habitat management. If take is proposed in excess of that necessary for habitat management, project-specific incidental take authorization is required. For Tier 3 sites, all suitable habitats must either be maintained or the equivalent of any lost suitable habitat must be restored to suitable habitat elsewhere within the habitat patch so that there is no net loss of snake habitat. The department will evaluate all within-patch mitigation plans as appropriate.

If incidental take cannot be avoided, then incidental take authorization is required on a project by project basis. The authorization process requires a jeopardy assessment be conducted for each site and there may not be options for no net loss at a site, therefore **avoiding Tier 3 sites is the best way to avoid potential problems.** It is possible there is Tier I and Tier II sites located within the data collection area that could be included in an incidental take authorization.

Site Name	Section	Township & Range	Surveyed	Presence Confirmed	Acres	Owner
Underwood Creek - MMSD Patch 1	20	T7N, R21E	N	Q	59	Mostly Public

Coordination with Mr. Bob Hay, WDNR Cold Blooded Species Biologist, will be needed for Butler's Gartersnake occurrences and Tier 3 habitat. Please contact him at 608-267-0849. He will also determine the need for surveys for the Blanding's Turtle.

8. The following Endangered, Threatened and Special Concern species were found within a one mile buffer of the data collection area:

<i>Ixobrychus exilis</i>	Least Bittern	SC/M	Bird	
<i>Procambarus gracilis</i>	Prairie Crayfish	SC/N	Crustacean	21, 22, 27, 28, 29,
<i>Etheostoma microperca</i>	Least Darter	SC/N	Fish	
<i>Aster furcatus</i>	Forked Aster	THR	Plant	
<i>Cacalia muehlenbergii</i>	Great Indian-plantain	SC	Plant	
<i>Carex formosa</i>	Handsome Sedge	THR	Plant	